

In re Appln. of Youngren et al.
Application No. Unassigned
(Continuation of U.S. Application No. 10/214,237)

Amendments to the Drawings

The attached sheets of drawings include changes to Figures 5 and 21-23.

Figures 5 and 21-23 have been amended by mere changes in reference numbers, lines, and arrows. MPEP 608.02(v). The attached Figures 5 and 21-23 replace the original Figures 5 and 21-23.

Attachments: Four (4) Replacement Sheets

Four (4) Annotated Sheets Showing Changes

REMARKS

No new matter has been added in this amendment. Claims 29-38 have been canceled. Claims 1, 3, 7, 11-12, 15, 17, 21 and 25-26 have been amended. New claims 39-48 have been added.

In the specification, a new heading and a new paragraph have been added immediately after the title referring to the parent application.

During the prosecution of the parent U.S. Patent Application No. 10/214,237, filed 7 August 2002, the Examiner rejected claims having a straight longitudinal centerline in the handle and a curved centerline in the generally curved shank. In the Final Office Action dated June 18, 2003, page 2, the Examiner rejected these claims under 35 U.S.C. 112, first paragraph, alleging that there is no “disclosure of any curved centerline” in the embodiments shown in figures 14 and 28. In fact, the curved shank of instant amended claims 1 and does have a curved centerline, as follows.

In the Final Office Action dated June 18, 2003, claim 43 was rejected under 35 U.S.C. 112, first paragraph, concerning which the Examiner states on page 2: “New claim 43 recites a curved handle with a straight centerline, however a curved member cannot have a straight centerline,... .” In the same Final Office Action, the Examiner states on page 4: “Further, in new claim 43, the handle is claimed as curved with a straight longitudinal centerline, however a curved member cannot have a straight centerline as the centerline must follow the curve of the handle,... .” As the Examiner has recognized, a centerline follows the curve of the handle or member. Therefore, a curved centerline must follow the curve of the shank, and there should be no rejection based on 35 U.S.C. 112, first paragraph.

Also during the last round of prosecution, the Examiner rejected claims specifically directed to the handle structure. In the Final Office Action dated June 18, 2003, page 3, the Examiner rejected these claims under 35 U.S.C. 112, second paragraph, alleging that there is no antecedent basis for the term “the end of the handle” in claims 7 and 21. Instant claim 1 has been amended to include “a handle having a bottom edge,” as supported in the specification on p. 18, lines 20-21 and Fig. 14. Additionally, instant claims 7 and 21 have been amended to include “a groove distal to the bottom edge of the handle,” as supported in the specification on p. 13, lines 17-18, and Figs. 4 and 4a. Proper antecedent basis for all claim terms in claims 7 and 21 has now been established. Therefore, there should be no rejection based on 35 U.S.C. 112, second paragraph.

Applicants point out that the handle of the instant invention may have various configurations (specification p. 12, lines 10-13). Since the handle may have various configurations, the instant amended claims 1 and 15, and dependents, also read on Figs. 3, 3a,b, 4 and 4a as additional embodiments of the invention. Furthermore, if the instant amended claims 1 and 15 read on Figs. 3, 3a,b, 4 and 4a as additional embodiments of the invention, then the instant amended claims must also read on Figs. 1b-1d as additional embodiments of the invention.

Independent claims 1 and 15 have been amended to include the following:

- definition of “a curved centerline” as discussed above, and further clearly supported in the specification, p. 11, line 9 as “curved centerline 350,” and clearly shown in Fig. 1d;
- further characterization of “the weight center ... disposed between the curved centerline and the striking surface,” as supported in the specification, p. 11, lines 10-14 and Fig. 1d; and
- definition of “a straight line” defined by a center point of the bottom edge of the handle and a second point positioned along a centerline of the handle, “wherein the straight line intersects the head,” as supported in the specification, p. 18, line 19 through p. 19, line 7, and Figs. 14 and 28; also p. 11, lines 7-8 and Fig. 1d.

The independent claims 1 and 15 of the present invention, as amended, include the definition of “a straight line” defined by a center point of the bottom edge of the handle and a second point positioned along a centerline of the handle, “wherein the straight line intersects the head.” The position of this straight line establishes the novel weight forward design, as supported by detailed experimental evidence in the specification, p. 36, line 10 through p. 37, line 3, and Table 1.

As discussed above, a centerline follows the curve of the member. In the case where the invention includes both a curved shank and a curved handle, that is, instant amended claims 3 and 17 and dependents, the invention comprises a common continuous radius. New claims 43 and 44 include “a common continuous radius,” as supported in the specification, p. 11, lines 8-9, and p. 9, lines 17-20, and Figs. 14, 28 and 1d.

New claims 45-48 are directed to the present invention, wherein the weight forward aspect is defined in terms of cutting planes. Support for claims 45-48 is found in the

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specification on p. 18, line 16 through p. 19, line 20 and Fig. 14; also p. 35, line 7 through p. 36, line 9 and Fig. 28. Detailed experimental evidence in support of these claims is found in the specification on p. 36, line 10 through p. 37, line 3, and Table 1.

This application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue.

Respectfully submitted,



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